

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

NAIM R. COSTANDI,

Plaintiff,

Y.

NANCY A. BERRYHILL, Commissioner of
Social Security,

Defendant.

Case No. 2:17-cv-02019-DJA

ORDER

NANCY A. BERRYHILL, Commissioner of
Social Security,

Defendant.

13 On October 31, 2019, the undersigned issued a report and recommendation. The Court
14 recommended denying Plaintiff Naim R. Costandi’s (“Plaintiff”) Motion for Reversal or to
15 Remand (ECF No. 20) and granting the Commissioner’s Response and Cross-Motion to Affirm
16 (ECF No. 21). The time to object has expired, the parties have filed no objections, and the parties
17 have consented to the undersigned proceeding with this matter. (ECF No. 26).

18 The court accepts and adopts the report and recommendation. The Court therefore finds
19 that the ALJ properly gave “clear and convincing” reasons supported by substantial evidence for
20 affording less weight to the opinion of consultative examiner Dr. Cabaluna. The ALJ’s decision
21 is supported by substantial evidence and free from reversible legal error. Accordingly,

22 IT IS HEREBY ORDERED that Plaintiff's Motion to Remand (ECF No. 20) be **denied**.

23 IT IS FURTHER ORDERED that the Commissioner's Cross-Motion to Affirm (ECF No.
24 21) be **granted**.

DATED: January 21, 2020.



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE